



NEVADA UNCLAIMED PROPERTY **DECEASED OWNER CLAIMS**

PLEASE CAREFULLY READ THE FOLLOWING INSTRUCTIONS

1. The heir, administrator, executor, or trustee must be the one to sign the claim form in the presence of a notary and provide the following documentation:

- Photocopy of **your** driver's license or other government issued photo identification.
- Proof of **your** social security number **OR** tax identification number of the estate or trust.

Photocopies of the following are acceptable:

Social Security card, tax record, military identification card, or pay stub.

- Certified copy of the reported owner's death certificate and proof of Social Security number (if not shown on the death certificate).

Additional Information as Required Below **Must** also be Provided

2. In addition to providing your identification, you may need to provide proof of the following **on the reported property owner**:

- Proof associating the **reported property owner** with the last known address provided to us by the reporting company. If the reporting company provided a last known address, it might be the only information the office has to determine rightful ownership and it may be required to approve payment. Photocopies of the following are acceptable:

Utility bill, mortgage payment coupon, post-marked envelope, driver's license, cancelled check, birth certificate, report card, credit report or pay stub that reflects the last known address associated with the property.

- Proof of business relationship between the **reported property owner** and the reporting company. If the reporting company did not provide a social security number or last known address, this may be the only information the office has to determine rightful ownership. Photocopies of the following are acceptable:

Insurance policy, contract, invoice, receipt, money order, original uncashed check, front and back side of a cleared check, gift certificate, account statement, bank book, original safe deposit box key, mineral property division order, court document, or stock certificate.

- If the property involves a cashier's check, money order, stock, bonds, or coupons, the office may require the original instrument to process your claim. These items have been canceled by the reporting company and need to be removed from circulation. If you do not have the originals, you will receive additional instructions upon review of your claim.

3. **If the estate is more than \$20,000 probate court is required!** As the claimant you must determine whether the property you are claiming combined with other assets in the estate requires probate court. If you are unsure then you must consult an attorney. The Nevada Unclaimed Property Office cannot give out legal advice.



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If Probate Court is required:

Open Probate – The administrator/executor/personal representative of the estate must come forward to claim.

- Provide a copy of the court order appointing administrator/executor/personal representative.
- Estate Tax ID Number.

Closed Probate – Individuals identified as being recipients of the estate should come forward to claim. A claim will only be paid if the Unclaimed Property Administrator can clearly determine the rightful owners from the closed probate documents. In certain situations the Administrator may require that probate court be reopened.

- Copy of the court documents verifying final closing and distribution for the estate.
- Copy of the probated will or trust.
- Heirs, as determined by the final closing and distribution order, must file the claim and also provide the information required in item, #1 and #2.

4. If you have determined that probate court is not required, there are many ways to claim property as an heir. Additional documents may be required in addition to the list below.

A. Spouse – You must have been married to the decedent at the time of his/her death and be fully entitled to the entire estate. The property must be considered community property. If the property was considered separate property at the time of spouse's death, the probate court rules in #3 above apply.

- If you are not named in the death certificate as the surviving spouse you must provide a copy of your marriage license and be able to prove that you were married at the time of death.
- All claims valued greater than \$100 require a completed and notarized Small Estate Affidavit.

B. Will – The executor of the will must come forward to claim the property with the named beneficiaries. Claims will be paid out to the named beneficiaries.

- A copy of the fully executed will and all of its codicils (amendments) must be provided.
- Beneficiaries of the will must provide a notarized Small Estate Affidavit. Applicable identification and a notarized claim form as described in #1 above must also be provided.
- If there are multiple heirs, one heir may come forward to claim for all heirs by using the Release of Heir Affidavit. Each heir would waive their rights to the property to the claiming heir by signing and notarizing the Release of Heir Affidavit. A copy of their driver's license must accompany the Release of Heir Affidavit form.
- If the executor of the will is unable or unwilling to serve, claims can still be paid out based upon the directions of the will but only if the unclaimed property administrator can clearly determine the rightful owners from the will. The death certificate of the executor or other proof that the executor is unable or unwilling to perform their duty is required.



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C. Trust – The trustee must claim the property. If there are co-trustees both individuals must claim. A trust agreement will only be honored if the property is clearly part of the trust, it is accompanied by a “pour over” will which specifically states that upon the death of the individual all remaining assets are transferred to the trust or the trust agreement specifically states that the property becomes the property of the trust upon death:

- Certificate of trust or trust agreement disclosing the trustees.
- Trust tax identification number.
- A complete copy of the trust agreement and amendments.
- A copy of the fully executed will and all of its codicils (amendments) must be provided.
- If the trustee is unable or unwilling to serve, claims can still be paid out based upon the directions of the trust but only if the unclaimed property administrator can clearly determine the rightful owners from the trust. The death certificate of the trustee or other proof that the trustee is unable or unwilling to perform their duty is required. The heir(s) stated in the trust must file as the claimant. The heir(s) will be paid individually as the payee.

D. Heir – No will, trust or required probate court. The actual heir(s) must come forward to file a claim.

- Affidavit of Heirship fully executed, signed and notarized. The state of Nevada follows the lines of consanguinity to determine heirship.
- Small Estate Affidavit signed and notarized by each heir
- Documentation proving relationship (birth certificates, marriage licenses, etc...)
- If there are multiple heirs, one heir may come forward to claim for all heirs by using the Release of Heir Affidavit. Each heir would waive their rights to the property to the claiming heir by signing and notarizing the Release of Heir Affidavit. A copy of their driver’s license must accompany the Release of Heir Affidavit form.